

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

18 U.S.C. § 1343 - Wire Fraud

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony
PENALTY:

Each Count: 0 - 20 years imprisonment; \$250,000 fine; 3 years supervised release and \$100 special assessment

PROCEEDING
 Name of Complainant Agency, or Person (& Title, if any)
 FEDERAL BUREAU OF INVESTIGATION and INTERNAL REVENUE SERVICE

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

SHOW DOCKET NO.

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

MAGISTRATE CASE NO.

 Name and Office of Person
 Furnishing Information on
 THIS FORM
SCOTT N. SCHOOLS
☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)
STEPHEN R. CORRIGAN, AUSA
 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

SHRI DORAISWAMY

DISTRICT COURT NUMBER

CRO7-00444
DLJ
DEFENDANT**IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State
- If answer to (6) is "Yes", show name of Institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☒ SUMMONS ☐ NO PROCESS*

☐ WARRANT Bail Amount:

If Summons, complete following:

☒ Arraignment ☒ Initial Appearance

Defendant Address:

 1580 Clayton Road, #10
 Concord, CA 94520

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: JULY 19, 2007; 10:00 AM

Before Judge: WAYNE D. BRAZIL, U.S. MAGISTRATE JUDGE

Comments:

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA
CRIMINAL DIVISION
VENUE: OAKLAND

E-filing

UNITED STATES OF AMERICA,

v.

SHRI DORAISWAMY

CR07-00444

[REDACTED]

DLJ

DEFENDANT.

INDICTMENT

18 U.S.C. § 1343 - Wire Fraud

A true bill.

Dave Nelson
Foreman

Filed in open court this _____ day of _____

Clerk

Bail, \$ Summons for 7/26/07 before Judge Brazier (WSD)
Wayne D. Brazier
7-12-07.

FILED
2007 JUL 12 PM 1:10
NORTHERN DISTRICT OF CALIFORNIA
CLERK U.S. DISTRICT COURT

SCOTT N. SCHOOLS (SCB 9900)
United States Attorney

E-filing

FILED

2007 JUL 12 PM 1:10

RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CR07-00444

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHRI DORAISWAMY,

Defendant.

No. [REDACTED]

VIOLATIONS: 18 U.S.C. § 1343 - Wire
Fraud

Oakland Venue

INDICTMENT

The Grand Jury charges:

THE SCHEME

1. Beginning in or about August 2001, and continuing to on or about August 27, 2005, in the Northern District of California, and elsewhere, the defendant,

SHRI DORAISWAMY,

did devise and intend to devise, a scheme and artifice to defraud victim Nancy M. as to material matters, and for obtaining money and property by means of material false and fraudulent pretenses, representations, and promises, and did knowingly transmit and cause to be transmitted, by means of wire communications in interstate and foreign commerce, certain writings, signs, signals, and sounds for the purpose of executing such scheme and artifice to defraud.

2. As part of the scheme to defraud, and to induce individuals to invest money with

1 the defendant, and to lull the investors into a false sense of security about their
2 investments, defendant DORAISWAMY made, and caused to be made, the following
3 material false statements to investor Nancy M:

- 4 a. An initial investment of \$100,000 would yield a return of \$1,100,000 within a six-
5 month period.
- 6 b. The \$100,000 investment would be used to finance a medical plan in South
7 America.
- 8 c. The \$100,000 investment was secured by an equitable interest in an antique 16th
9 century Spanish tapestry described as Charles V Duke of Alba Coat of Arms
10 (tapestry), held in Vevey, Switzerland, valued at an amount greater than
11 \$3,000,000.
- 12 d. The return on the \$100,000 investment had been delayed due to a variety of
13 reasons, but repayment was imminent.

14 3. It was also part of the scheme to defraud that defendant DORAISWAMY provided
15 Nancy M. a "Certificate of Safekeeping Receipt" falsely representing that the document
16 was an authentic original document that gave Nancy M. possessory interest in the tapestry
17 if defendant DORAISWAMY defaulted on the investment agreement.

18 4. It was also a part of the scheme to defraud that defendant DORAISWAMY provided
19 Nancy M. a document captioned "Payment Guarantee and Security Agreement"
20 (Agreement) which included the terms and conditions of the investment, the return, and
21 the security interest.

22 5. It was also part of the scheme to defraud that defendant DORAISWAMY faxed, e-
23 mailed, and mailed to Nancy M. three separate addendums, each one extending the due
24 dates for the return of the investment.

25 6. In furtherance of his scheme to defraud described in paragraphs 1 through 6
26 above, defendant DORAISWAMY transmitted, and caused to be transmitted, the
27 interstate and foreign wire communications described below, each count constituting a
28 separate violation of 18 U.S.C. § 1343. Each wire communication below was sent by

defendant DORAISWAMY through his AOL account in California and received by Nancy M. in Oregon and in other locations outside the State of California.

COUNT DATE WIRE COMMUNICATION

ONE 07/16/02 E-mail confirming that money will be available the following week.

TWO 08/05/02 E-mail requesting an extension of the payment due date until the end of August.

THREE 10/12/02 E-mail informing Nancy M. that disbursements will start next week.

FOUR 10/25/02 E-mail informing Nancy M. that she should expect to receive funds beginning the first week of November.

FIVE 11/12/02 E-mail informing Nancy M. that defendant DORAISWAMY has complete control of the funds and that she should expect a return on her investment beginning that Thursday.

SIX 11/20/02 E-mail informing Nancy M. that the payment schedule would begin the next week.

SEVEN 11/20/02 E-mail informing Nancy M. that defendant DORAISWAMY would wire the funds to her account, paying \$100,000 in the first installment and another \$50,000 to be paid by December 15, 2002.

EIGHT 12/03/02 E-mail informing Nancy M. that she would receive disbursements to her account in the form of wire transfers within days.

NINE 12/11/02 E-mail representing that defendant DORAISWAMY did not get paid as expected and that he is working to complete the transaction that week.

TEN 02/24/03 E-mail representing that defendant DORAISWAMY was resolving a problem that developed with the bank.

1 **ELEVEN** 03/13/03 E-mail representing that defendant DORAISWAMY is
2 expecting to complete a financial transaction the next week
3 and to start paying her immediately thereafter.

4 **TWELVE** 04/10/03 E-mail representing that defendant DORAISWAMY is
5 receiving investment funds into his account and past
6 problems with the banks should be resolved in the next few
7 days, clearing the way for deposits to be made to Nancy M.

8 **THIRTEEN** 04/20/03 E-mail representing that defendant DORAISWAMY expects
9 to hear from the bank receiving the funds that week.

10 **FOURTEEN** 06/05/03 E-mail in which defendant DORAISWAMY denies Nancy
11 M.'s complaint that he is ignoring her; instead, he informs her
12 that since February he has successfully moved to within a day
13 or two of the transfer of the investment funds into the
14 company's account.

15 **FIFTEEN** 08/13/03 E-mail representing that the financial transaction is underway
16 and that disbursements that Nancy M. should begin the next
17 week.

18 **SIXTEEN** 12/29/03 E-mail representing that defendant DORAISWAMY expects
19 to reimburse Nancy M. by December 31, 2003, or no later
20 than January 5, 2004.

21 **SEVENTEEN** 01/08/04 E-mail representing that defendant DORAISWAMY will
22 reimburse Nancy M.'s principle by February 15, 2004.

23 **EIGHTEEN** 05/14/04 E-mail representing that the closing will take another couple
24 days.

25 **NINETEEN** 07/05/04 E-mail representing that the delay in the return of Nancy M.'s
26 investment is due to a bank-to-bank confirmation.
27
28

1 TWENTY 08/27/05 E-mail representing that defendant DORAISWAMY expects
2 to make regular payments on the principle loan after the
3 upcoming long weekend.
4

5 Each in violation of Title 18, United States Code, Section 1343.
6

7 DATED:

A TRUE BILL.

8
9 *Dean Webster* 7/12/2007
10 FOREPERSON

11 SCOTT N. SCHOOLS
12 United States Attorney

13 *Stephen G. Corrigan*
14 DOUGLAS SPRAGUE
15 Acting Chief, Criminal Division

16 (Approved as to form: *SC*)
17 AUSA CORRIGAN
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